

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

OCLC, INC.,

Plaintiff,

v.

BAKER & TAYLOR, LLC, *et al.*,

Defendants.

Case No. 2:25-cv-309

Judge Edmund A. Sargus, Jr.

Magistrate Judge Elizabeth P. Deavers

ORDER

This matter is before the Court on Plaintiff OCLC, Inc.’s Motion for Discovery (Expedited). (ECF No. 13.) OCLC moves the Court to authorize early discovery relating to its Motion for Preliminary Injunction (ECF No. 5). OCLC requests to serve five written interrogatories and fourteen requests for production on Defendant Baker & Taylor LLC (“B&T”). (ECF No. 13-1.) OCLC also requests to serve three written interrogatories and ten requests for production on Defendant Bridgeall Libraries Ltd. (ECF No. 13-2.) OCLC requests that Defendants’ responses will be due within seven days of that service. (*Id.*)

A Rule 26(f) conference has not been held. Nonetheless, under Rule 26(d) of the Federal Rules of Civil Procedure, a court may order early discovery before the Parties have held a Rule 26(f) conference. “Expedited discovery may be granted upon a showing of good cause, which the moving party bears the burden of demonstrating.” *Luxottica Retail N. Am., Inc. v. Vision Serv. Plan*, No. 1:14-CV-581, 2014 WL 4626015, at *3 (S.D. Ohio Sept. 12, 2014) (Black, J.). “Good cause may be found where the need for expedited discovery, in consideration of the administration of justice, outweighs the prejudice to the responding party.” *Arista Recs., LLC v. Does 1-15*, No. 2:07-CV-450, 2007 WL 5254326, at *2 (S.D. Ohio Nov. 5, 2007) (Watson, J.) (internal quotation

and citation omitted). “Factors to consider on whether to grant a motion for early discovery under a ‘good cause’ standard generally include: ‘(1) whether a preliminary injunction is pending; (2) the breadth of the discovery requests; (3) the purpose for the request; (4) the burden to comply; and (5) how far in advance of the typical discovery process the request is made.’” *Union Home Mortg. Corp. v. Everett Fin. Inc.*, No. 1:23 CV 00996, 2023 WL 4209420, at *1 (N.D. Ohio June 27, 2023) (quoting *Arab Am. Civil Rights. League v. Trump*, No. 17-10310, 2017 WL 5639928, at *2 (E.D. Mich. Mar. 31, 2017)).

During a telephone status conference held on April 23, 2025, the Parties advised the Court that they would agree to a proposed schedule for the preliminary injunction proceedings, including the exchange of discovery. (ECF No. 25.) The Parties filed a proposed agreed schedule. (ECF No. 26.) Accordingly, the Court finds good cause for expedited discovery relating to OCLC’s Motion for Preliminary Injunction. As discussed on the telephone status conference, discovery regarding Bridgeall will be limited to this Court’s personal jurisdiction over Bridgeall. Therefore, the Court **GRANTS IN PART** and **DENIES IN PART** Plaintiff’s Motion for Expedited Discovery. Defendants may also serve discovery requests in accordance with the schedule below.

The Court **ORDERS** the following schedule for preliminary injunction proceedings:

4/28/25	Parties formally serve discovery requests
5/23/25	Parties exchange written discovery responses
5/27/25	Both Defendants file motions to dismiss
6/17/25	Plaintiff files briefs in opposition to motions to dismiss
6/27/25	Document production substantially completed
7/01/25	Defendants file reply briefs in support of motions to dismiss
8/01/25	Depositions completed

8/15/25 Defendants file opposition to P.I. Motion

8/29/25 Plaintiff files reply in support of P.I. Motion

10/06/25 at 9:00 a.m. Preliminary Injunction Hearing

This case remains open.

IT IS SO ORDERED.

4/28/2025

DATE

s/Edmund A. Sargus, Jr.

EDMUND A. SARGUS, JR.

UNITED STATES DISTRICT JUDGE